

REMARKS

This paper is responsive to any paper(s) indicated above, and is responsive in any other manner indicated below.

PENDING CLAIMS

Claims 1 and 2 were pending, under consideration and subjected to examination in the Office Action. Appropriate claims have been amended, canceled and/or added (without prejudice or disclaimer) in order to adjust a clarity and/or focus of Applicant's claimed invention. That is, such changes are unrelated to any prior art or scope adjustment and are simply refocused claims in which Applicant is present interested. At entry of this paper, Claims 1-10 will be pending for further consideration and examination in the application.

CLAIM OBJECTIONS OBVIATED VIA CLAIM AMENDMENT

Claims 1 and 2 have been objected to because of the Office Action concerns listed within the section numbered "2" on page 2 of the Office Action. As amendments have been made where appropriate in order to address each of the Office Action listed concerns, reconsideration and withdrawal of the claim objection are respectfully requested.

REJECTION UNDER 35 USC '103

All 35 USC '103 rejections are respectfully traversed. However, such rejections have been rendered obsolete by the present clarifying amendments to

Applicant's claims, and accordingly, traversal arguments are not appropriate at this time. However, Applicant respectfully submits the following to preclude renewal of any such rejections against Applicant's clarified claims.

All descriptions of Applicant's disclosed and claimed invention, and all descriptions and rebuttal arguments regarding the applied prior art, as previously submitted by Applicant in any form, are repeated and incorporated hereat by reference. Further, all Office Action statements regarding the prior art rejections are respectfully traversed. As additional arguments, Applicant respectfully submits the following remarks from Applicant's foreign representative in support of traversal of the rejection and patentability of Applicant's claims.

Clarified claim 1 includes the features that an actuating signal generating circuit includes an AND logic circuit 33 which receives an output signal of an interruption detecting signal circuit 11A and an actuating command ON/OFF signal, so as to output a signal to a control circuit 31 for a DC converter 3. This is supported in the description in Fig. 3, and page 12, line 4 to page 13, line 15.

According to the above features, if commercial power supply is cut off, the DC converter 3 can supply a load 5 with DC power generated in accordance with the actuating command ON/OFF signal. That is to say, backup power is supplied only when the commercial power supply is cut off, and the interruption detecting signal circuit outputs a command signal ON to the AND logic circuit 33 to carry out the backup operation by the power from the battery 4. In contrast, when the command signal is OFF, even if the commercial power supply is cut off, the backup operation is not carried out, and thus, it can be advantageously avoided that the power stored in the battery is consumed without avail.

The Examiner rejects claim 1 under USC 103(a) as being unpatentable over, for example, Faberman et al (US '236) in view of Levran et al (US '645) or Brand et al (US '057). But their cited references do not disclose or suggest the features of the present invention that the actuating signal generating portion having the AND logic circuit which is supplied with a power interruption detecting signal and an actuating command ON/OFF signal to output control signal to the control circuit for DC converter.

As a result of all of the foregoing, it is respectfully submitted that the applied art (taken alone and in the Office Action combinations) would not support a '103 obviousness-type rejection of Applicant's claims. Accordingly, reconsideration and withdrawal of such '103 rejection, and express written allowance of all of the '103 rejected claims, are respectfully requested.

EXAMINER INVITED TO TELEPHONE

The Examiner is herein invited to telephone the undersigned attorneys at the local Washington, D.C. area telephone number of 703/312-6600 for discussing any Examiner's Amendments or other suggested actions for accelerating prosecution and moving the present application to allowance.

RESERVATION OF RIGHTS

It is respectfully submitted that any and all claim amendments and/or cancellations submitted within this paper and throughout prosecution of the present application are without prejudice or disclaimer. That is, any above statements, or any present amendment or cancellation of claims (all made without prejudice or

disclaimer), should not be taken as an indication or admission that any objection/rejection was valid, or as a disclaimer of any scope or subject matter. Applicant respectfully reserves all rights to file subsequent related application(s) (including reissue applications) directed to any/all previously claimed limitations/features which have been subsequently amended or cancelled, or to any/all limitations/features not yet claimed, i.e., Applicant continues (indefinitely) to maintain no intention or desire to dedicate or surrender any limitations/features of subject matter of the present application to the public.

CONCLUSION

In view of the foregoing amendments and remarks, Applicant respectfully submits that the claims listed above as presently being under consideration in the application are now in condition for allowance.

To the extent necessary, Applicant petitions for an extension of time under 37 CFR '1.136. Authorization is herein given to charge any shortage in the fees, including extension of time fees and excess claim fees, to Deposit Account No. 01-2135 (Case No. 500.38034CC2) and please credit any excess fees to such deposit account.

Based upon all of the foregoing, allowance of all presently-pending claims is respectfully requested.

Respectfully submitted,

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A handwritten signature in cursive script, appearing to read "Paul J. Skwierawski".

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